

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NBT ASSOCIATES, INC.,

Plaintiff,

v.

Case No. 10-14108

ALLEGIANCE INSURANCE AGENCY CCI,
INC., an Arizona Corporation, SARMAD
AMANOAIL, EIVAN SHAHARA, FADI KENAYA,
ALLEGIANCE INSURANCE AGENCY CCI,
INC., a Michigan Corporation, ALLEGIANCE
INSURANCE AGENCY CCII, INC., a Michigan
Corporation, POWER GROUP INVESTORS
INCORPORATED, FAROUK KENAYA, and
DISCOUNT INSURANCE, LLC,

Defendants,

and

FADI KENAYA, ALLEGIANCE INSURANCE
AGENCY CCII, INC., an Arizona Corporation,
SARMAD AMANOAIL, ALLEGIANCE
INSURANCE AGENCY CCI, INC., a Michigan
Corporation, and EIVAN SHAHARA,

Third-Party Plaintiffs,

v.

MANAR ABBO,

Third-Party Defendant,

and

ALLEGIANCE INSURANCE AGENCY CCII, INC., a Michigan Corporation, POWER GROUP INVESTORS INCORPORATED, ALLEGIANCE INSURANCE AGENCY CCI, INC., an Arizona Corporation, FADI KENAYA, ALLEGIANCE INSURANCE AGENCY CCII, INC., an Arizona Corporation, SARMAH AMANOAIL, ALLEGIANCE INSURANCE AGENCY CCI, INC., a Michigan Corporation, and EIVAN SHAHARA,

Counter-Claimants,

v.

NBT ASSOCIATES, INC.,

Counter-Defendant.

ORDER TERMINATING AS MOOT WITHOUT PREJUDICE PLAINTIFF/COUNTER-DEFENDANT NBT ASSOCIATES, INC.'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS

On June 7, 2011, the court held a scheduling conference with counsel in this matter. During the conference, counsel discussed the pending motion to compel filed by Plaintiff/Counter-Defendant NBT Associates, Inc., and agreed in principle to a suitable resolution of the dispute underlying the motion. In addition, counsel advised that they will continue to discuss the matter, and may choose to submit a stipulation and proposed order. Therefore, the court will terminate the motion as moot by the agreement of the parties, and without prejudice to NBT Associates, Inc.'s right to re-file a similar motion should such action become necessary. Accordingly,

IT IS ORDERED that Plaintiff/Counter-Defendant NBT Associates, Inc.'s "Motion to Compel Production of Documents" [Dkt. # 48] is TERMINATED AS MOOT WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 10, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 10, 2011, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522